IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3728 OF 2001
IN
FIRST APPEAL (ST) NO.43800 OF 1998

OFFICE NOTES, MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S	COURT'S OR JUDGES ORDERS	OFFICE ORDERS

CORAM : A. S. OKA, J.
DATE : JUNE 08, 2006.

P.C.:

1. Heard the Advocates appearing for the parties. The Application is strongly opposed by the Advocate appearing for the Respondent- original claimant. He pointed out that there is no explanation for delay which is almost of five years. Though notice is served to the Respondent more than four years back, no reply has been filed. Perusal of the averments made in paragraphs 2 and 3 show that there is a sufficient cause for condonation of delay. However, the Respondent will have to be compensated by ordering payment of costs.

2. Rule is accordingly made absolute in terms of prayer clause (a) subject to condition that the Applicant will pay costs

of Rs.1,000/- to the Respondent within period of eight weeks from today. Deposit of costs in this Court within the stipulated time will be treated as sufficient compliance with this order.

JUDGE